

### REMARKS

Claims 1-14 are pending, of which claims 11-14 have been withdrawn. Claims 1 and 3 have been amended. No new matter has been added.

Applicant thanks the Examiner for indicating that claims 5-7 contain allowable subject matter.

Claims 3 and 4 stand rejected under 35 USC 112, first paragraph, for allegedly failing to comply with the written description requirement. Applicant believes that the Examiner was interpreting the previous claim language to mean that the contrast agent was supplied among the plural branch passages. The previous claim language was meant to convey that the predetermined branch passage was a branch passage of the connector. Applicant has amended claim 3 to clarify the language. This rejection should be withdrawn.

Claims 1, 2, and 8-10 stand rejected under 35 USC 102(b) on Wallsten (WO 96/15741). Claims 1-3 stand rejected under 35 USC 103(a) on Eshel (US 5,549,559). Claim 4 stands rejected under 35 USC 103(a) on Eshel in view of Shantha (US 5,195,965). These rejections are traversed.

Claim 1 is directed to a heating-type balloon catheter device having a heating-type balloon at a top end portion of a catheter main body and a vibration imparting device connected to a base end portion of the catheter main body. The vibration imparting device is configured to impart vibration to a liquid for heating in the heating-type balloon through a liquid for heating filled in the catheter main body. The vibration imparting device includes an elastic tube with a base end portion thereof connected to the catheter main body and with a top end portion closed, the elastic tube being filled with a liquid for heating. The vibration imparting device also includes a vibrator device having a roller configured to rotate about a rotary shaft at a position offset to the rotary shaft. The elastic tube is set in contact with the roller so that a predetermined direction of rotation of the roller extends from the side of the base end portion of the elastic tube in a longitudinal direction to the side of the

top end portion of the elastic tube in a longitudinal direction. A margin volume part that is not pressed with the roller is provided on the side of the top end portion of the elastic tube.

The claimed invention can thus be configured to impart an appropriate magnitude of vibration to the heating-type balloon regardless of the balloon's size. This can be achieved by varying the position of setting the elastic tube with respect to the roller in accordance with the size of the balloon. In other words, by varying the size of the margin volume part, varying balloon sizes can be accommodated. This is more beneficial than other systems which impart only a set magnitude of vibration to a balloon.

Wallsten does not disclose or suggest the claimed invention. The Examiner contends that disc 69 corresponds to the claimed roller and that container 21 corresponds to the claimed elastic tube. As shown in Fig. 5, Wallsten discloses a movable jaw 67 disposed so as to be movable in the upward/downward directions by rotation of disc 69, which works as a cam with a motor. The upward and downward movement of the movable jaw 67 allows compression or expansion of the container 21 in the radial direction, which thus imparts vibration to the heating liquid in the balloon 7. Accordingly, disc 69 is not in contact with container 21. In contrast, in the claimed invention the elastic tube is set in contact with the roller so that a predetermined direction of rotation of the roller extends from the side of the base end portion of the elastic tube in a longitudinal direction to the side of the top end portion of the elastic tube in a longitudinal direction. Wallsten thus does not anticipate or render obvious the claimed invention.

Eshel does not disclose or suggest the claimed invention. The Examiner contends that rollers 65 correspond to the claimed roller and the peristaltic tube corresponds to the claimed elastic tube. Eshel discloses that the peristaltic tube is applied around the rollers 65 (col. 5, ll. 30-32). In contrast, in the claimed invention the elastic tube is set in contact with the roller so that a predetermined direction of rotation of the roller extends from the side of the base end portion of the

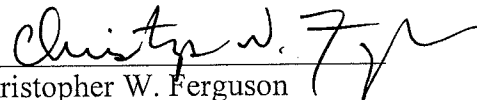
elastic tube in a longitudinal direction to the side of the top end portion of the elastic tube in a longitudinal direction. Eshel thus does not anticipate or render obvious the claimed invention.

In light of the above, the Wallsten and Eshel do not anticipate or render obvious the invention defined by claim 1. The other cited art does not remedy Wallsten and Eshel's deficiencies. Accordingly, claim is allowable. Claims 2-10 are allowable at least due to their direct or indirect dependency on claim 1. Applicant requests that the Examiner withdrawn the outstanding objection and rejections and issue a Notice of Allowance.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **Docket No. 360882016200**.

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